

Application No. 10/019,770
Amendment dated October 8, 2003
Reply to Office Action of August 4, 2003

REMARKS/ARGUMENTS

By the present Amendment, claim 1 has been amended. Applicant respectfully asserts that the amended claims are believed to overcome the matters raised by the Examiner in the Office Action of August 4, 2003.

The Examiner rejected claim 1 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,671,666 to Wenglar in view of U.S. Patent No. 5,239,920 to Schuff et al ("Schuff"). The Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the front cover 16 of Wenglar to include a drain opening adjacent the feed opening (i.e., located within the lower horizontal wall of the cover 16 in front of the opening 17) because one would have been motivated to permit any liquids etc. to drain through the opening and into the interior of the housing as taught by Schuff.

Applicant respectfully submits that amended claim 1 is not obvious over Wenglar in view of Schuff for the following reasons.

Applicant has amended claim 1 to specify that the reverse vending machine of the present invention is operable with the cover removed.

With respect to U.S. Patent No. 5,671,666 to Wenglar, applicant again reiterates its argument that it does not disclose a cover as required by claim 1. Nonetheless, applicant has amended claim 1 to further specify that the reverse vending machine of the present invention is operable with the cover removed.

First and foremost, applicant respectfully asserts that the item 16 referred to by the Examiner on page 2 of the Office Action is not a cover, but a control panel. Please see Wenglar Col. 3, L51. The box-like item inside the central opening 14 incorporates a chute for the transfer of cans from the port 17 into the rotatable drum 26. Clearly, the machine disclosed in Wenglar is not operational with the box-like item disposed in the

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central opening 14 removed. This is further evidenced by the Examiner's statement in the section entitled Response to Arguments beginning on page 3 wherein the Examiner states:

"As applied above, the feed opening of the cover is considered to include the central opening 14 and the opening 17 that is defined in the rear wall cover 16 and which extends through the ramp-like structure (as indicated by the arrows referenced by '17' and shown in Fig. 4). The ramp-like structure appears to be formed as a portion of the cover 16 and is therefore considered as such and not viewed as an internal can handling device or pipework of the machine."

Therefore, it is clear that the disclosure of Wenglar does not include a cover on a reverse vending machine where the reverse vending machine is operable with the cover removed.

One of the purposes of having a cover of the type claimed in the application is to facilitate easy access to the vending machine, see page 3, L13-21 of the description in the instant application. Wenglar does not disclose such a feature.

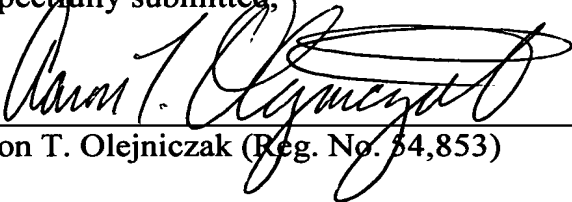
Therefore, in light of the present Amendment, applicant respectfully submits that the combination of Wenglar in light of Schuff is not sufficient to have made the claimed invention obvious to one of ordinary skill in the art as a combination of the references does not teach a reverse vending machine comprising a cover formed to be secured independently of an internal bottle-/can-handling device and other apparatuses of the reverse vending machine such that the reverse vending machine is operable with the cover removed. Therefore, applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) be withdrawn.

By the present Amendment, applicant has amended claim 1. Applicant has pointed out that the amended claim is not obvious over Wenglar in view of Schuff et al.

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Applicant submits that claims 1-4 are now in proper condition for allowance and such action is earnestly requested.

Respectfully submitted,



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